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**RESOLUTION NO. 04-331**

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING IMPROVING **STORM WATER DRAIN NO. 99, (NORTH OF 29TH STREET NORTH, WEST OF RIDGE) 468-82311**, IN THE CITY OF WICHITA, KANSAS, PURSUANT TO FINDINGS OF ADVISABILITY MADE BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, THAT THE FOLLOWING FINDINGS AS TO THE ADVISABILITY OF IMPROVING **STORM WATER DRAIN NO. 99, (NORTH OF 29TH STREET NORTH, WEST OF RIDGE) 468-82311**, IN THE CITY OF WICHITA, KANSAS, ARE HEREBY MADE TO-WIT:

SECTION 1. That Resolution No. **R-93-150** adopted on **April 6, 1993**, is hereby rescinded.

SECTION 2. That it is necessary and in the public interest to improve **Storm Water Drain No. 99, (north of 29th Street North, west of Ridge) 468-82311**.

SECTION 3. That the cost of said improvements provided for in Section 1 hereof is estimated to be **Five Hundred Eight Thousand Dollars (\$508,000)** exclusive of the cost of interest on borrowed money, with **100** percent payable by the improvement district. Said estimated cost as above set forth is hereby increased at the pro-rata rate of 1 percent per month from and after **April 1, 1993**, exclusive of the costs of temporary financing.

SECTION 4. That all costs of said improvements attributable to the improvement district, when ascertained, shall be assessed against the land lying within the improvement district described as follows:

**FOREST LAKES**

Lots 1 through 10, Block 1  
Lots 1 through 43, Block 2  
Lots 1 through 74, Block 3  
Lots 1 through 29 and 31 through 120, Block 4  
Lots 1 through 18, Block 5  
Lots 1 through 21, Block 6

SECTION 5. That the method of apportioning all costs of said improvements attributable to the improvement district to the owners of land liable for assessment therefore shall be on a **fractional** basis:

That said Lots 1 through 8, Block 1, FOREST LAKES shall each pay 1166/505,889 of the total cost payable by the improvement district; Lots 9 and 10, Block 1, FOREST LAKES shall each pay 1775/505,889 of the total cost payable by the improvement

district; Lots 1 through 8, Block 2, FOREST LAKES shall each pay 1166/505,889 of the total cost payable by the improvement district. Lots 9 through 15, Block 2, FOREST LAKES shall each pay 1775/505,889 of the total cost payable by the improvement district; Lots 16 through 24, Block 2, FOREST LAKES shall each pay 640/505,889 of the total cost payable by the improvement district; and Lots 25 through 43, Block 2, FOREST LAKES shall each pay 1166/505,889 of the total cost payable by the improvement district; Lots 1 through 14, Block 3, FOREST LAKES shall each pay 1166/505,889 of the total cost payable by the improvement district; Lots 15 through 25, Block 3, FOREST LAKES shall each pay 50/505,889 of the total cost payable by the improvement district; Lots 26 through 36, Block 3, FOREST LAKES shall each pay 2111/505,889 of the total cost payable by the improvement district; Lots 37 through 38, Block 3, FOREST LAKES shall each pay 2118/505,889 of the total cost payable by the improvement district; Lots 39 through 41, Block 3, FOREST LAKES shall each pay 2900/505,889 of the total cost payable by the improvement district; Lots 42 through 48, Block 3, FOREST LAKES shall each pay 1776/505,889 of the total cost payable by the improvement district; Lots 49 through 74, Block 3, FOREST LAKES shall each pay 2111/505,889 of the total cost payable by the improvement district; Lots 1 through 9, Block 4, FOREST LAKES shall each pay 1775/505,889 of the total cost payable by the improvement district; Lots 10 and 11, Block 4, FOREST LAKES shall each pay 350/505,889 of the total cost payable by the improvement district; Lot 12, Block 4, FOREST LAKES shall pay 50/505,889 of the total cost payable by the improvement district; Lots 13 through 29 and 31 through 34, Block 4, FOREST LAKES shall each pay 2111/505,889 of the total cost payable by the improvement district; Lots 35 through 55, Block 4, FOREST LAKES shall each pay 1500/505,889 of the total cost payable by the improvement district; Lots 56 through 75, Block 4, FOREST LAKES shall each pay 2900/505,889 of the total cost payable by the improvement district; Lots 76 through 81, Block 4, FOREST LAKES shall each pay 1776/505,889 of the total cost payable by the improvement district; Lots 82 through 120, Block 4, FOREST LAKES shall each pay 2111/505,889 of the total cost payable by the improvement district; Lot 1, Block 5, FOREST LAKES shall pay 2118/505,889 of the total cost payable by the improvement district; Lots 2 through 16, Block 5, FOREST LAKES shall each pay 2111/505,889 of the total cost payable by the improvement district; Lots 17 and 18, Block 5, FOREST LAKES shall each pay 2118/505,889 of the total cost payable by the improvement district; Lots 1 through 6, Block 6, FOREST LAKES shall each pay 2111/505,889 of the total cost payable by the improvement district; Lots 7 through 12, Block 6, FOREST LAKES shall each pay 1776/505,889 of the total cost payable by the improvement district; Lot 13, Block 6, FOREST LAKES shall pay 2900/505,889 of the total cost payable by the improvement district; Lots 14 through 18, Block 6, FOREST LAKES shall each pay 1776/505,889 of the total cost payable by the improvement district; Lots 19 through 21, Block 6, FOREST LAKES shall each pay 2111/505,889 of the total cost payable by the improvement district.

Except when driveways are requested to serve a particular tract, lot, or parcel and shall be in addition to the assessment for other improvements. Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

SECTION 6. That payment of said assessments may indefinitely be deferred as against

those property owners eligible for such deferral available through the Special Assessment Deferral Program.

SECTION 7. That the City Engineer shall prepare plans and specifications for said improvement and a preliminary estimate of cost therefore, which plans, specifications, and a preliminary estimate of cost shall be presented to this Body for its approval.

SECTION 8. Whereas, the Governing Body of the City, upon examination thereof, considered, found and determined the Petition to be sufficient, having been signed by the owners of record, whether resident or not, of more than Fifty Percent (50%) of the property liable for assessment for the costs of the improvement requested thereby; the advisability of the improvements set forth above is hereby established as authorized by K.S.A. 12-6a01 et seq. as amended.

SECTION 9. Be it further resolved that the above-described improvement is hereby authorized and declared to be necessary in accordance with the findings of the Governing Body as set out in this resolution.

SECTION 10. That the City Clerk shall make proper publication of this resolution, which shall be published once in the official City paper and which shall be effective from and after said publication.

ADOPTED at Wichita, Kansas, June 22, 2004.

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CARLOS MAYANS, MAYOR

ATTEST:

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KAREN SUBLETT, CITY CLERK

(SEAL)